

The environmental regulation of the production and use of gypsum from waste plasterboard

Purpose of this position statement

A quality protocol setting out end-of-waste criteria for the production and use of recycled gypsum from waste plasterboard is available from our website at www.doeni.gov.uk/niea/index/about-niea/better_regulation/waste_quality_protocols.htm. As the quality protocol (QP) is voluntary, the purpose of this statement is to advise our staff and customers on the legal obligations that apply to those who produce gypsum from waste plasterboard.

This position statement provides clarity on how we will regulate:

- the collection and processing of waste plasterboard;
- recycled gypsum that meets the requirements of the quality protocol;
- recycled gypsum that does not meet the requirements of the quality protocol.

By complying with the QP, producers will have certainty that the recycled gypsum they produce will be regarded as having ceased to be waste and can be used without the need for waste management controls.¹

The main purposes of the QP are:

- clarifying the point at which waste management controls are no longer required;
- providing holders with confidence that the recycled gypsum conforms to an approved standard;
- protecting human health and the environment by setting standards for the production and use of recycled gypsum in designated applications, and describing acceptable good practice for its use.

In summary, the following criteria must be met:

- the recycled gypsum is produced using only the input materials specified in section 2 of the quality protocol;
- the recycled gypsum meets the requirements of BSI PAS 109 Specification for the production of recycled gypsum from waste plasterboard.
- the recycled gypsum is destined for use in agriculture as a soil conditioner or a fertiliser, or in construction for the purpose of plasterboard manufacture or as a binder substitute.
- producers must provide and keep copies of customer supply documentation which includes a statement of conformance with the quality protocol.

Full details of the requirements are set out in the quality protocol, which can be downloaded from our website at: www.doeni.gov.uk/niea/index/about-niea/better_regulation/waste_quality_protocols.htm

If you intend to export quality protocol compliant recycled gypsum outside of England, Wales and Northern Ireland, the receiving country may still consider the material to be waste and so you would need to adhere to the relevant waste management controls.



How we regulate the collection, processing and storage of waste plasterboard for the production of recycled gypsum

The quality protocol does not change the regulatory requirements that apply to:

- the **delivery** and **storage** of waste plasterboard for processing;
- the **processing** of waste plasterboard to produce recycled gypsum.

The waste plasterboard must be:

- handled in accordance with the Duty of Care requirements;
- transported by a person who is registered as a waste carrier;
- taken to a suitably licensed, permitted or exempt waste facility.

The Waste Management Licensing Regulations (NI) 2003 requires individuals or companies storing and treating controlled waste to do so under a waste management licence or an exemption.

The **storage** and **processing** of waste plasterboard can only take place in accordance with a waste management licence or a Paragraph 14 exemption.

How we regulate recycled gypsum that meets the requirements of the QP

Producers and users are not obliged to comply with the quality protocol. If they do, they will benefit from the certainty that we will not regard the recycled gypsum they produce as waste. This means it can be used without the need for waste management controls.

Quality protocol compliant recycled gypsum should be stored in a clearly defined area separate to that used for feedstocks, material undergoing processing and other waste materials. It is the responsibility of the producer/ user of the material to ensure that they are compliant with the appropriate planning legislation for the storage of the material.

How we regulate recycled gypsum that does not meet the requirements of the quality protocol

If producers do not comply with the quality protocol, the material will normally be regarded as waste. If the recycled gypsum remains waste, the following waste management controls continue to apply:

- It must be handled in accordance with the Duty of Care;
- It must be transported by a registered waste carrier and accompanied by a waste transfer note;
- It must be transferred to a suitably authorised site;

Disposing of gypsum waste including plasterboard

Since April 2009, non-hazardous gypsum-based materials must not be disposed of in non-hazardous landfills unless in a separate cell which does not accept biodegradable waste. There are currently no landfills in Northern Ireland with a separate cell for high sulphate bearing wastes, although there are such landfills in other parts of GB. You must use a registered waste carrier or broker to remove your gypsum and plasterboard waste and it must be transferred to a facility that holds a waste management licence or Paragraph 14 exemption. Please contact NIEA's Land and Resource Management Unit for further information (see Further Advice, below).

Enforcement

If the activity is likely to cause pollution or harm to human health, or there is a breach of waste management controls, we will take action in line with NIEA enforcement and prosecution policy (www.environment-agency.gov.uk/business/regulation/31851.aspx).

Further advice

Detailed guidance on regulatory controls can be obtained from the NetRegs website, or at NIEA'S website at: www.ni-environment.gov.uk/waste-home/authorisation.htm

¹ Waste management controls are not required from the point at which the recycled gypsum is produced to the standard required by the quality protocol.